

AN ACT

ENTITLED, An Act to prohibit human cloning.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. Terms used in this Act mean:

- (1) "Human cloning," human asexual reproduction accomplished by introducing the nuclear material of a human somatic cell into a fertilized or unfertilized oocyte whose nucleus has been removed or inactivated to produce a living organism, at any stage of development, with a human or predominantly human genetic constitution;
- (2) "Human somatic cell," a diploid cell, having a complete set of chromosomes, obtained or derived from a living or deceased human body at any stage of development;
- (3) "Nuclear transplantation," transferring the nucleus of a human somatic cell into an oocyte from which the nucleus or all chromosomes have been or will be removed or rendered inert;
- (4) "Nucleus," the cell structure that houses the chromosomes, and thus the genes;
- (5) "Oocyte," the female germ cell, the egg.

Section 2. No person or entity, public or private, may:

- (1) Perform or attempt to perform human cloning;
- (2) Participate in an attempt to perform human cloning;
- (3) Transfer or receive the product of human cloning; or
- (4) Transfer or receive, in whole or in part, any oocyte, embryo, fetus, or human somatic cell, for the purpose of human cloning.

Any person that knowingly or recklessly violates this section is guilty of a Class 6 felony. Any person or entity that violates this section and derives a pecuniary gain from such violation is subject to a civil penalty of two thousand dollars or twice the amount of gross gain, or any intermediate

amount at the discretion of the court.

Section 3. Nothing in this Act restricts areas of scientific research not specifically prohibited by this Act, including research in the use of nuclear transfer or other cloning techniques to produce molecules, deoxyribonucleic acid, cells other than human embryos, tissues, organs, plants, or animals other than humans.

An Act to prohibit human cloning.

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I certify that the attached Act
originated in the

SENATE as Bill No. 184

Secretary of the Senate
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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 184

File No. _____

Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor
=====

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State